

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
	:	
Plaintiff,	:	21-CV-7700 (VSB) (SN)
	:	
-against-	:	<u>ORDER</u>
	:	
SIMON PIERS THURLOW, <i>et al.</i> ,	:	
	:	
Defendants.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

On December 10, 2024 at 2:00pm I held a hearing in this matter. In accordance with my comments at the hearing, it is hereby:

ORDERED that, no later than December 17, 2024, Defendant/attorney R. Fidler shall file a letter, not to exceed five (5) single-spaced pages and citing any relevant legal authority, explaining why representing his co-Defendants does not require disqualification. The letter shall include a citation to the bankruptcy matter referenced by R. Fidler during the hearing.


IT IS FURTHER ORDERED that the SEC shall submit any response to R. Fidler's submission no later than December 23, 2024. The SEC's response shall not exceed five (5) single-spaced pages.

IT IS FURTHER ORDERED that the parties meet and confer to discuss: (1) a proposed briefing schedule for Defendant R. Fidler's anticipated motion regarding *Loper Bright Enterprises v. Raimondo*, 144 S. Ct. 2244 (2024); (2) whether Defendants consent to striking certain affirmative defenses challenged by the SEC, (*see* Docs. 82–83, 101–03), or whether further motion practice on this topic is required; and (3) whether any amendment to my Opinion & Order, (Doc. 51), is necessary to accurately reflect the charges against Defendant Jordan or

Defendant WBC. The parties shall file a joint letter regarding these topics no later than January 3, 2025.

SO ORDERED.

Dated: December 10, 2024
New York, New York


Vernon S. Broderick
United States District Judge